

ARTICLE XIV Site Plans and Special Permits

§ 300-86. Site plan review. [Amended 11-20-1996 by L.L. No. 7-1996]

In all cases where this chapter requires approval of site plans, no building permit shall be issued by the Code Enforcement Officer except upon authorization of and in conformity with the plans approved by the Planning Board.

A. Objectives. In considering and acting upon site plans, the Board shall take into consideration the public health, safety and welfare, the comfort and convenience of the public in general and of the residents of the proposed development and the immediate neighborhood in particular and may prescribe such appropriate conditions and safeguards as may be required in order that the result of its action shall, to the maximum extent possible, further the expressed intent of this chapter and the accomplishment of the following objectives in particular:

- (1) Traffic access. All proposed traffic access and ways are adequate but not excessive in number; adequate in width, grade, alignment and visibility; not located too near street corners or other places of public assembly; and other similar safety considerations.
- (2) Circulation and parking. Adequate off-street parking and loading spaces are provided to prevent the parking on public streets of vehicles of any persons connected with or visiting the use and the interior circulation system is adequate to provide safe accessibility to all required off-street parking lots.
- (3) Landscaping and screening. All playground, parking and service areas are reasonably screened at all seasons of the year from the view of adjacent residential lots and streets and the general landscaping of the site is in character with that generally prevailing in the neighborhood. Existing trees over eight inches in diameter measured three feet above the base of the trunk shall be retained to the maximum extent possible.
- (4) Restrictive covenants and easements, including conservation easements. Restrictive covenants and easements may be imposed on the site plan and required to be recorded by the Planning Board prior to approval. Restrictive covenants and easements shall be subject to enforcement by the Town of New Windsor and other parties in interest. [Added 4-7-1999 by L.L. No. 2-1999]
- (5) Stormwater detention basins, retention basins, and water quality ponds. [Added 7-3-2002 by L.L. No. 5-2002]
 - (a) The site plan shall comply with New York State Department of Environmental Conservation regulations providing for control of stormwater. For site plans, the ownership and maintenance responsibility for stormwater detention basins, retention basins, and water quality ponds shall be made an obligation of the owner of the site. The improvement shall be located on the same lot as the other site plan improvements. It is not permissible to create a separate lot for the stormwater improvements.
 - (b) The following basin design criteria shall be incorporated into all basins and ponds:
 - [1] Landscaping is required where buffers or screening is necessary, staggered white pine plantings and berms being deemed preferable for these situations.
 - [2] Basins shall include stone channels between inlet and outlet locations. The channel shall be overexcavated, filled with stone during construction and have a final course of rip-rap placed after initial siltation occurs and the basin is stabilized.
 - [3] Maximum side slopes shall be 1:3 (vertical: horizontal).
 - [4] Fences shall generally not be required but may be added at the discretion of the Planning Board.
 - [5] The basin and outlet control facilities shall be designed and sized to result in a zero net increase in runoff from the site. In addition, concentration of discharges shall be avoided. The Planning Board shall have the option of modifying these requirements where adequate downstream excess stormwater capacity is demonstrated. Editor's Note: Added at time of adoption of Code (see Ch. 1. General Provisions, Art. I).
 - [6] All facilities shall be evaluated and designed based on five-year, ten-year and twenty-five-year storm frequency, unless the site is greater than 320 acres. Sites greater than 320 acres shall be based on the aforementioned criteria, plus the fifty-year storm